# (REVISED: PUBLIC AGENDA ITEM TO BE PRESENTED 4/18/2006)

# CITY COUNCIL

# CITY OF WICHITA KANSAS

City Council Meeting 9:00 A.M., April 11, 2006

City Council Chambers 455 North Main

# ORDER OF BUSINESS

OKDER OF BUSINESS			
	Call to Order		
	Invocation		
	Pledge of Allegiance		
	Approve the minutes of the April 4, 2006 regular meeting		
	SELECTION OF VICE-MAYOR		
	Selection of Vice-Mayor.		
	AWARDS AND PROCLAMATIONS		
	<u>Proclamations</u>		
	Volunteer Week		

# **PUBLIC AGENDA**

-- Pat Randles-Farmers Market Ordinance.

(MS. RANDLES REQUESTED TO DEFER HER PRESENTATION TO THE 04/18/2006 CITY COUNCIL MEETING)

# **CONSENT AGENDA**

1. Report of the Board of Bids and Contracts Dated April 10, 2006.

RECOMMENDED ACTION: Receive and file report; approve Contracts;

authorize necessary signatures.

2. <u>Application for License.</u>

Patrick Audley

Patrick Audley

Renewal

Gail R. Crump GS Entertainment 5858 South Broadway

dba Adult Super Store

RECOMMENDED ACTION: Approve license subject to Staff review

and approval.

3. <u>Applications for Licenses to Retail Cereal Malt Beverages:</u>

Renewal	<u>2006</u>	(Consumption on Premises)
Juan Castaneda Joseph T. Weber Miguel Reyes Scott L. Webb	Angela's Café* Club Billiards Roslizeria Los Reyes* Delano Barbecue Co., L.L.C.*	10901 East Kellogg Drive 925 West Douglas 512 West 21 <sup>st</sup> Street 710 West Douglas
Renewal	<u>2006</u>	(Consumption off Premises)
Brandon Diep Mo ArifurPaffnan	Speedway K.C. Gas and Grocery	565 South Market 1161 North Broadway
New Operator	2006	(Consumption on Premises)
Nancy Orasit Violet D. Bayless	Buffet Delight Inc.* Crescent Stores Corp. dba CSC#35	3205 East 31 <sup>st</sup> Street 550 North Webb Road
Special Event		
John Thien Patrick Audley	May 12, 13, 14, 2006 Wichita River Festival Wichita River Festival	West Bank Stage Food Court - 225 West Douglas
	May 15, 16, 17, 2006	

Wichita River Festival

May 18,19,20 2006 Wichita River Festival Food Court - 225 West Douglas

Food Court - 225 West Douglas

May 20, 2006

John Thien Wichita River Festival Food Court – McLean Street

\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review

and approval.

# 4. Preliminary Estimates:

- a) Water Distribution System to serve Harvest Ridge Addition north of MacArthur, west of Maize. (448-89850/735305/470976) Does not affect existing traffic. (District V) \$77,000
- b) Water Distribution System to serve Turkey Creek Addition north of Pawnee, west of 119th Street West. (448-89962/735304/470975) Does not affect existing traffic. (District V) \$121,000
- c) Tara Falls from the north line of Pawnee to the west line Reserve E; Tara Falls Court from the west line of Tara Falls to and including the cul-de-sac (Lots 1 through 17, Block 1); Willowgreen/Willowgreen Circle from the east line of Tara Falls to the east line of Lot 2, Block 4; Willowgreen Court from the south line of Willowgreen to and including the cul-de-sac (Lots 19 through 30, Block 4); Casa Bella from the north line of Willowgreen to the north line of Casa Bella Addition to serve Casa Bella Addition north of Pawnee, west of 127th Street East. (472-84271/765975/490090) Does not affect existing traffic. (District II) \$400,000
- d) Covington from the north line of 29th Street North to the east line of Lot 30, Block 1, Fontana 2nd Addition; Shefford from the east line of Lot 30, Block 1, to the east line of Covington; Covington Court to and including the cul-de-sac; Fontana Circle to and including the cul-de-sac; Fontana Court to and including the cul-de-sac; Landon Circle to and including the cul-de-sac to serve Fontana and Fontana 2nd Additions north of 29th Street North, east of 119th Street West) (472-84086/765976/490091) Does not affect existing traffic. (District V) \$1,064,300
- e) Churchill Circle from the south line of Lot 1, Block 2, to the south line of Lot 12, Block 2; Churchill Court, serving Lots 4 through 9, Block 2, from the south line of Churchill Circle to and including the culde-sac to serve Reed's Cove 4th Addition (south of 21st Street North, east of 127th Street East. (472-84384/765986/490103) Does not affect existing traffic. (District II) \$435,000
- f) McCormick Street Realignment McCormick, from Leonine to K-42. (472-83831/706866/203332) Traffic to be maintained during construction using flagpersons and barricades. (District IV) \$1,430,000
- g) Harry Street Temporary Frontage Road to serve Auburn Hills 15th Addition west of 135th Street, north of Kellogg. (472-83962/765951/490064) Traffic to be maintained during construction using flagpersons and barricades. (District V) \$200,250

# 5. <u>Consideration of Street Closures/Uses.</u>

RECOMMENDED ACTION: Approve the street closures.

#### 6. Agreements/Contracts:

- a) Transit Service Agreement for Oaklawn Improvement District. (District III)
- b) Access to Jobs Vendor Agreement.
- c) Asset Management Agreement.
- d) Groundwater Release Assessment, Brooks Landfill. (District VI)-supplemental.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

# 7. Contracts and Agreements for March 2006.

RECOMMENDED ACTION: Receive and file.

### 8. <u>Property Acquisitions:</u>

- a) Partial Acquisition of land for right-of-way at 11500 West 29<sup>th</sup> Street North for Roadway Project. (District V)
- b) Permanent Easement and Pipeline Easement for Integrated Local Water Supply Plan.
- c) Vacant Land for Right-of-Way in 11,000 block of West 29<sup>th</sup> Street North for Roadway Project. (District V)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize the necessary signatures.

#### 9. Sale of Surplus Land in the 1700 Block of South Exchange. (District III)

RECOMMENDED ACTION: Approve the Real Estate Purchase Contracts and authorize the necessary signatures.

# 10. Asbestos Survey and Related Services.

RECOMMENDED ACTION: Approve the selection of Precision Environmental Services; authorize the Purchasing Manager to negotiate a contract and authorize the necessary signatures.

# 11. <u>Services for Tristate/Harcos Remediation Project.</u> (District III)

RECOMMENDED ACTION: Approve the Contact and authorize the necessary

signatures.

#### 12. Lattner Foundation Grant for the WATER Center.

RECOMMENDED ACTION: Approve the grant application; authorize the

necessary signatures and receive funds if awarded

the grant.

13. Kansas Health Foundation Recognition Grant Funds for the Senior Wednesday Program at WATER Center.

RECOMMENDED ACTION: Approve the grant award and authorize the

necessary signatures.

- 14. <u>Second Reading Ordinances:</u> (First read April 4, 2006)
  - a) <u>Sidewalk Repair and Sidewalk Cleaning Assessment Program.</u> (Districts I, II, III, VI)
    - 1. An Ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of construction of sidewalks in the City of Wichita, Kansas.
    - 2. An Ordinance making a special assessment to provide a tax levy for the cost of sidewalk cleaning in the City of Wichita, Kansas.
  - b) <u>Industrial Revenue Bonds, Prairie Villa at Beacon Hill, LLC.</u> (District I)

An ordinance authorizing the City of Wichita, Kansas, to issue its taxable Industrial Revenue Bonds for the purpose of providing funds to acquire, construct and equip a residential rental facility located in the City of Wichita, Kansas; prescribing the form and authorizing execution of various documents relating to the issuance of and security for the bonds, the lease of the residential rental facility to Prairie Villa at Beacon Hill, L.C., and the sale of the bonds.

c) <u>Pawnee Improvement between a point approximately 650 feet west of Palisade and Broadway.</u> (District III)

An Ordinance amending Ordinance no. 46-808 of the City of Wichita, Kansas declaring Pawnee, between Palisade and Water Street (472-84283) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.

d) 11th Street Bridge at the Drainage Canal. (District I)

An Ordinance declaring the 11th Street North Bridge at the Wichita Drainage Canal (472-84396) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.

e) Hillside Street Bridge at Gypsum Creek, south of Range Road. (District III)

An Ordinance declaring the Hillside Street Bridge at Gypsum Creek (472-84395) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.

- f) DR2006-03-Request for a Street Name Change from Jardine Drive to Opportunity Drive. (District I)
  - An Ordinance changing a street name from Jardine Drive to Opportunity Drive, be it ordained by the Governing Body of the City of Wichita, Kansas.
- g) <u>PUD2005-00004-Generally located 1/8 mile north of 21st Street North, east and west of Jardine Drive.</u> (District I)
  - An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended.
- h) <u>Assessments for twenty-two water projects, twenty-one sewer projects and thirteen storm sewer projects in July 2006 Bond Sale Series 786.</u>
  - a) (470-926/448-89793) Construction of Water Distribution System No. 448-89793 TO SERVE SHADOW WOODS ADDITION, West of 135th Street West, North of Maple.
  - b) (470-882/448-89828) Construction of Water Distribution System No. 448-89828 TO SERVE HIGHLAND SPRINGS 3RD ADDITION, West of 135th Street West, South of Central.
  - c) (470-896/448-89838) Construction of Water Distribution System No. 448-89838 TO SERVE FOX RIDGE ADDITION, North of 29th Street North, between Maize & Tyler.
  - d) (470-920/448-89868) Construction of Water Distribution System No. 448-89868 TO SERVE AVALON PARK ADDITION, North of 37th Street North, East of Tyler.
  - e) (470-921/448-89869) Construction of Water Distribution System No. 448-89869 TO SERVE AVALON PARK ADDITION, North of 37th Street North, East of Tyler.
  - f) (470-922/448-89870) Construction of Water Distribution System No. 448-89870 TO SERVE AVALON PARK ADDITION, North of 37th Street North, East of Tyler.
  - g) (470-873/448-89908) Construction of Water Distribution System No. 448-89908 TO SERVE AVALON PARK 2ND ADDITION, North of 37th Street North, East of Tyler.
  - h) (470-908/448-89911) Construction of Water Distribution System No. 448-89911 TO SERVE AUBURN HILLS 15TH ADDITION, West of 135th Street West, North of Kellogg.
  - i) (470-879/448-89958) Construction of Water Distribution System No. 448-89958 TO SERVE SAND PLUM ADDITION, South of 45th Street North, West of Webb.
  - j) (470-878/448-89985) Construction of Water Distribution System No. 448-89985 TO SERVE SAVANNA AT CASTLE ROCK RANCH 10TH ADDITION, West of 143rd Street East, North of 13<sup>th</sup>.
  - k) (470-893/448-89992) Construction of Water Distribution System No. 448-89992 TO SERVE HAWTHORNE 3RD ADDITION, North of 21st, East of 127th Street East.
  - 1) (470-890/448-89993) Construction of Water Distribution System No. 448-89993 TO SERVE HAWTHORNE 2ND & 3RD ADDITIONS, North of 21st, East of 127th Street East.
  - m) (470-917/448-89998) Construction of Water Distribution System No. 448-89998 TO SERVE SHOAL CREEK 3RD ADDITION, West of 143rd Street East, South of Central.

- n) (470-895/448-90006) Construction of Water Distribution System No. 448-90006 TO SERVE REGENCY LAKES COMMERCIAL 2ND ADDITION, North of 21st, West of Greenwich.
- o) (470-892/448-90012) Construction of Water Distribution System No. 448-90012 TO SERVE WOODLAWN NORTH POINTE ADDITION, South of 29th Street North, East of Woodlawn.
- p) (470-905/448-90022) Construction of Water Distribution System No. 448-90022 TO SERVE SAWMILL CREEK ADDITION.
- q) (470-912/448-90035) Construction of Water Distribution System No. 448-90035 TO SERVE AUBURN HILLS 15TH ADDITION, West of 135th Street West, North of Kellogg.
- r) (470-909/448-90036) Construction of Water Distribution System No. 448-90036 TO SERVE AUBURN HILLS 15TH ADDITION, West of 135th Street West, North of Kellogg.
- s) (470-911/448-90037) Construction of Water Distribution System No. 448-90037 TO SERVE THE WATERFRONT ADDITION, North of 13th Street, East of Webb Road.
- t) (470-932/448-90052) Construction of Water Distribution System No. 448-90052 TO SERVE SOUTHERN RIDGE 3RD ADDITION, South of Pawnee, West of Maize.
- u) (470-913/448-90058) Construction of Water Distribution System No. 448-90058 TO SERVE EVERGREEN ADDITION, North of 21st, West of Maize.
- v) (470-919/448-90064) Construction of Water Distribution System No. 448-90064 TO SERVE VALLEY ACRES ADDITION, North of 11th, West of St. Paul.

#### **SEWER PROJECTS:**

- w) (480-789/468-83171) Construction of LATERAL 2, MAIN 11, SANITARY SEWER NO. 23, East of Rock Road, North of 45th Street North.
- x) (480-772/468-83431) Construction of LATERAL 2, MAIN 21, SOUTHWEST INTERCEPTOR SEWER, North of 47th Street South, East of Hoover.
- y) (480-770/468-83534) Construction of LATERAL 6, MAIN 5, NORTHWEST INTERCEPTOR SEWER, South of 13th, West of 135th Street West.
- z) (480-783/468-83646) Construction of LATERAL 8, NORTHWEST INTERCEPTOR SEWER, North of 29th Street North, between Maize & Tyler.
- aa) (480-805/468-83690) Construction of LATERAL 10, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, East of Tyler.
- ab) (480-806/468-83691) Construction of LATERAL 11, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, East of Tyler.
- ac) (480-807/468-83692) Construction of LATERAL 12, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, East of Tyler.
- ad) (480-755/468-83748) Construction of LATERAL 16, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, East of Tyler.

- ae) (480-793/468-83758) Construction of LATERAL 10, MAIN 2, COWSKIN INTERCEPTOR SEWER, West of 135th Street West, North of Kellogg.
- af) (480-745/468-83802) Construction of LATERAL 369, FOUR MILE CREEK SEWER, North of Pawnee, East of Webb.
- ag) (480-749/468-83804) Construction of LATERAL 33, MAIN 1, WESTLINK SEWER, East of Evergreen, North of Maple.
- ah) (480-764/468-83831) Construction of LATERAL 34, MAIN 1, WESTLINK SEWER, East of Byron, South of Douglas.
- ai) (480-771/468-83870) Construction of LATERAL 5, MAIN 13, FOUR MILE CREEK SEWER, North of 21st, East of 127th Street East.
- aj) (480-778/468-83871) Construction of LATERAL 6, MAIN 13, FOUR MILE CREEK SEWER, North of 21st, East of 127th Street East.
- ak) (480-782/468-83895) Construction of LATERAL 6, MAIN 26, WAR INDUSTRIES SEWER, North of 21st, West of Greenwich.
- al) (480-785/468-83922) Construction of LATERAL 18, MAIN 19, SOUTHWEST INTERCEPTER SEWER, North of 29th Street North, East of Ridge.
- am) (480-794/468-83948) Construction of LATERAL 11, MAIN 2, COWSKIN INTERCEPTOR SEWER, West of 135th Street West, North of Kellogg.
- an) (480-797/468-83949) Construction of LATERAL 50, MAIN 24, WAR INDUSTRIES SEWER, North of 13th, East of Webb.
- ao) (480-798/468-83969) Construction of LATERAL 1, MAIN 6, NORTHWEST INTERCEPTOR SEWER, North of 21st, West of Maize.
- ap) (480-804/468-84008) Construction of LATERAL 148, MAIN 4, SANITARY SEWER NO. 23, West of Arkansas, North of 33rd Street North.
- aq) (480-822/468-84034) Construction of MAIN 14B, FOUR MILE CREEK SEWER, South of 21st, East of 127th Street East.

#### STORM SEWER PROJECTS:

- ar) (485-282/468-83169) Construction of SWD NO. 156, TO SERVE SAWMILL CREEK ADDITION, East of Rock, North of 45th Street North.
- as) (485-269/468-83558) Construction of SWD NO. 196, TO SERVE COPPER GATE ESTATES, South of 13th, West of 135th Street West.
- at) (485-270/468-83561) Construction of SWS NO. 583, TO SERVE COPPER GATE ESTATES, South of 13th, West of 135th Street West.
- au) (485-220/468-83573) Construction of SWS NO. 586, TO SERVE POWER CDC 2ND ADDITION, North of 25th Street North, West of Grove.

- av) (485-283/468-83637) Construction of SWD NO. 205, TO SERVE HIGHLAND SPRINGS 3RD ADDITION, West of 135th Street West, South of Central.
- aw) (485-250/468-83759) Construction of SWD NO. 223, TO SERVE AUBURN HILLS 15TH ADDITION, West of 135th Street West, North of Kellogg.
- ax) (485-273/468-83836) Construction of SWD NO. 235, TO SERVE MY HOUSE ADDITION, South of 55th Street South, West of Broadway.
- ay) (485-277/468-83894) Construction of SWS NO. 610, TO SERVE SOUTHERN RIDGE 2ND ADDITION, South of Pawnee, West of Maize.
- az) (485-274/468-83899) Construction of SWD NO. 240, TO SERVE THE PLAZA AT CHERRY CREEK HILLS, East of Rock, North of Oak Knoll.
- ba) (485-275/468-83920) Construction of SWD NO. 242, TO SERVE THE WATERFRONT 4TH ADDITION, North of 13th, East of Webb.
- bb) (485-276/468-83929) Construction of SWD NO. 245, TO SERVE FOX RIDGE ADDITION, East of Maize, North of 29th Street North.
- bc) (485-279/468-83936) Construction of SWD NO. 248, TO SERVE THE FAIRMONT 3RD, West of 127th Street East, North of 21<sup>st</sup>.
- bd) (485-286/468-83951) Construction of SWS NO. 612, TO SERVE THE WATERFRONT ADDITION, North of 13th, East of Webb.

RECOMMENDED ACTION: Adopt Ordinances.

# **UNFINISHED BUSINESS**

15. Development Agreement for the Northeast Baseball Complex. (District II)

RECOMMENDED ACTION: Approve the selection of Central Plains Youth Sports,

(CPYS) as the preferred developer for the baseball/softball facility, and authorize the creation of a development agreement to be approved by the City

Council at a later date.

#### **NEW BUSINESS**

#### 16. Arkansas River Corridor Access Plan. (Districts I, III, IV, V & VI)

On August 9, 2005, the City Council approved \$30,000 for the Arkansas River Corridor Access Plan. The Cities of Hutchinson, South Hutchinson and Reno County have requested that an MOU be obtained from the City of Wichita as part of their commitment to ensure their interest in the plan.

RECOMMENDED ACTION: Approve the partnerships of the entities identified for

financial contribution to the plan; approve soliciting RFQ's for the Arkansas River Corridor Access Plan; approve the Memoranda of Understandings and authorize

the necessary signatures.

#### (9:30 a.m. or soon thereafter)

17. Repair or Removal of Dangerous and Unsafe Structures. (Districts I, II and VI)

On February 28, 2006, a report was submitted with respect to the dangerous and unsafe conditions on the following nine properties below.

Property Address:	Council District:
a. 1218 North Cleveland	I
b. 1316 North Kansas	I
c. 1456 North Piatt	I
d. 1513 North Grove	I
e. 2105 North Minnesota	I
f. 2547 Raleigh	I
g. 1627 South Lulu	I
h. 3003 North Salina	VI
i. 15300 East Kellogg (U.S. 54)	II

RECOMMENDED ACTION: It is recommended that the City Council close the public hearing, adopt the resolutions declaring the buildings dangerous and unsafe structures, and accept the BCSA recommended action to proceed with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structures. Any extensions of time granted to repair the structures would be contingent on the following: (1) all taxes have been paid to date, as of April 11, 2006; (2) the structures have been secured as of April 11, 2006 and will continue to be kept secured; and (3) the premises are mowed and free of debris as of April 11, 2006, and will be so maintained

during renovation.

# 18. <u>2007 Health Insurance Program.</u>

The City Council directed staff to receive competitive bids for the City of Wichita's 2005/2006 health insurance plan. On October 12, 2004, the City Council accepted the recommendation of the Health Insurance Advisory Committee to approve Coventry Health Care of Kansas, Inc. as the medical and prescription provider for 2005 and 2006.

RECOMMENDED ACTION: It is recommended that the City Council accept

the recommendation of the Health Insurance Advisory Committee, to accept the 9.5% rate increase from Coventry Health Care for 2007, contingent on the City Manager's input and a Request for Proposal (RFP) if deemed necessary by the

City Council, and authorize the required signatures.

19. Order of business at City Council Consent Agenda/Workshop Meetings.

At the April 4, 2006 workshop, the City Council discussed the processes and procedures to follow the City Council Consent/Workshop meetings.

RECOMMENDED ACTION: Adopt the Resolution pertaining to changes

to the order of business at City Council Consent Agenda/

workshop meetings.

#### PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

\* Consent Items

20. <u>PUD2005-00005</u>; <u>PUD #21-Creation of the Kirk Planned Unit Development, generally located 1/3 mile south of 21<sup>st</sup> Street North and west of Maize Road.</u> (District V)

RECOMMENDED ACTION: 1) Concur with the findings of the MAPC and

approve the zone change, subject to the recommended provisions of the Planned Unit Development and place

the ordinance on first reading; OR

2) Return the application to the MAPC for reconsideration.

21. \*SUB2005-96-Plat of Towne Parc Eighth Addition, located south of Pawnee and west of Webb Road. (District II)

RECOMMENDED ACTION: Approve the documents and plat; authorize the

necessary signatures and adopt the resolutions.

### **AIRPORT AGENDA**

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion. \*Consent items

22. \*U.S. Economic Development Administration Application for Aviation Technical Center Funding.

RECOMMENDED ACTION: Approve the EDA grant application and the

receipt of funds in the amount of \$1.5 million

and authorize the necessary signatures.

23. \*Air Service Consulting Services-Sabre Consulting.

RECOMMENDED ACTION: Authorize the expenditure of budgeted funds

not to exceed \$25,000.

24. \*Taxiways "L", "L-1", Compass Pad and Apron Construction extension of Taxiway "H" and "H-1".

RECOMMENDED ACTION: Approve the change order and authorize the

necessary signatures.

#### CITY COUNCIL

25. <u>Board Appointments.</u>

RECOMMENDED ACTION: Make the appointments.

26. <u>City Council Rules of Procedure.</u>

RECOMMENDED ACTION: Direct the City Attorney to revise and update

the City Council Rules of Procedure to coincide with the current structure of the City Council and current state laws.

Adjournment